



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
LANSING

STEVEN H. HILFINGER
DIRECTOR

Hispanic/Latino Commission of Michigan
Our Lady of Guadalupe Church
2316 W. Coldwater Road
Flint, Michigan 48505

March 4, 2011
Meeting Minutes No. 280

I. Call to Order and Roll Call

Chairperson Lawrence García called the meeting to order at 5:45 p.m.

Commissioners Present: Lawrence García, Olga Hernández-Patino, Art Reyes, Leonard Savala, Maria Elena Rodríguez, Danny Inquilla, Alicia Villarreal, Debra Ehrmann, Fred Feliciano

Excused Absence: Gil Guzman, Michael Espinoza, Rick García, Mike Ramírez

Unexcused Absence: Art Luna

Staff Present: Marylou Mason, Victoria García

II. Introduction of Commissioners

Commissioners and staff introduced themselves. The Commission and audience stood for the Pledge of Allegiance.

III. Welcoming Remarks

Father Tim Nelson welcomed the Commission.

IV. Approval of Absences:

MOTION: Commissioner Ramon motioned to approve the absences of Commissioners Luna, Ramirez, Espinoza, and R. Garcia. Commissioner Hernandez supported the motion. Motion carried.

V. Approval of Agenda

MOTION: Commissioner Ramon motioned to approve the agenda of March 4, 2011. Commissioner Ehrmann supported the motion. Motion carried.

VI. Approval of Minutes

MOTION: Commissioner Ramon motioned to approve the minutes of January 28, 2011. Commissioner Reyes supported the motion. Motion carried.

VII. Public Forum

Jocelyn Benson, Executive Director, Michigan Center on Election Law and Associate Director, Damon Keith Center for Civil Rights/Wayne State University(WSU): Ms. Benson stated that every ten years, the state legislature draws new lines for the congressional and state house & state senate districts. There is currently a lot of controversy about this because the senators and state representatives drawing their own districts or picking their own voters who will be voting for them. Redistricting should be about the voters being able to elect their representatives as opposed to legislators choosing which voters will vote for them. There will be a redistricting competition for anyone in the state of Michigan to draw redistricting maps. They will provide the software, tools, rules and data. The contest entry form, information and software are available on their website: www.michiganredistricting.org. They are hopeful that citizens can draw better maps than politicians. There have been other states who have provided this opportunity for citizens and the maps have been found to be more fair, more accurate and representing the will of the people than those prepared by the politicians. There will be three judges and three redistricting maps selected and then turned over to the legislature for consideration during the redistricting process. This is great opportunity for citizens to get involved.

Ms. Benson also discussed a program she created at WSU called the "Michigan Allies Project." This is a program and database to track hate crimes and hate incidents throughout the state of Michigan. There are currently 35 organizations that active hate groups. While there are many organizations that track hate groups nationwide, this group tracks hates groups here in Michigan. Since this group is located within Michigan, they can be an ally and provide resources for the victims. Ms. Benson stated that most hate crimes/hate incidents go unreported. She asked the Commission for their support in getting the word out about the project. Their website is: www.alliesproject.law.wayne.edu.

Mr. Dayne Walling, Mayor of Flint: Mayor Walling thanked the Commission for coming to Flint to give them an opportunity to see what the Commission does and for the people to give direct input on the important issue they are facing, in particular public safety issues. He stated they need a public safety system that is willing to work for the entire community that is fair and that is well funded. There are numerous pieces of legislation that can impact the city's budget, the governor's budget, and state revue sharing. Those cost cutting shifts directly impact the general funds of not only the city of Flint, but also communities all across our state. Those are the funds that we use to fund our police officers and fire

fighters. What he continues to hear from the citizens is the threat to public safety and jobs. HB 4305 is real source of concern. Our police officers cannot be burdened with additional unnecessary and potentially illegal or unconstitutional activities.

Eduardo Zimmerman, citizen: He stated he's heard different stories that the Governor wants Michigan to be a more welcoming state towards immigrants and now there is this new "show me your papers" bill. It doesn't make sense to him.

Ryan Bates, Director of the Alliance for Immigrant Rights and Reform: Mr. Bates thanked the Commission for allowing him to come and talk about pending legislation HB 4305 and HR 30. His organization is a statewide coalition of more than 50 different faith, labor, civil rights and business organizations working to fix our broken immigration system and support immigrant families in crisis. He passed out supporter cards, with an opportunity for the community to volunteer with his organization.

HB 4305 is very similar to Arizona's SB 1070 – the "show me your papers" law. It does four major things: 1) It allows police to stop, question and arrest people on probable cause that they might be deportable. This means that if you look "undocumented", you can be stopped and questioned. If you can't prove you have status, you can be arrested and detained. Section 4, clause 5 states:....."it grants new powers to police to stop people solely on suspicion of their immigration status." 2) Creates a new crime in Michigan for not carrying your papers. All immigrants are required to carry proof of status with them at all times. Many immigrants that are here in Michigan are doing manual labor jobs or working in the fields. If you carry your visa around with you it could get lost or ruined and for that reason many people do not carry it with them. If you lose them, it is very hard and expensive to get a replacement. 3) It allows citizens as individuals to sue police departments if they believe that this law is not being enforced vigorously enough. This is a really radical measure because it will allow anti-immigrants to take it upon themselves to determine what police priorities should be. 4) This law invalidates sanctuary city policies. It requires local police to transmit all information requested to immigration enforcement and invalidates requirements that local police departments limit their cooperation with ICE. It really creates a hostile environment for law enforcement agencies working in immigrant communities. He believes this to be a civil rights nightmare for Michigan, not only for the Latino community but also for the South Asian and Arab communities. This is also a fiscal nightmare. This is a massive, unfunded mandate for local government. The state of Kentucky did a study on a similar law and concluded that the cost would be 40 million dollars a year in enforcement costs and that does not count the loss in productivity and loss in tax revenue to local communities for folks who flee. Also with the

grime budget times we are facing we are laying off fire fighters and police and it doesn't make sense to spend money on a law that is not going to make us any safer.

HR 30 encourages congress to reinterpret the 14th amendment; to end birthright citizenship, not for the children of adopted immigrants but for the children of all immigrants. This is a very radical and dangerous resolution.

Commissioner Inquilla: Commissioner Inquilla stated Mr. Bates did an outstanding job summarizing what SB 4305 would do if passed into law. To date, the only action that has been taken on this bill is that it has been introduced in the Michigan House in Lansing and it has been assigned to the judiciary committee. No further action has been taken on this bill yet. The normal process is that a bill would be scheduled to be heard by the committee that it is assigned to and there would be a chance for the public to give testimony on their views of this legislation. Then the committee would vote whether to pass the bill on to the full House for consideration. Occasionally a bill will bypass the committees and have a full House vote taken, however that is a rare occurrence. Commissioner Inquilla pointed out one of the final provisions of that bill that says,..."the provisions of this act shall be implemented in a matter consistence with federal laws regulating immigration while protecting the civil rights of all persons and respecting the privileges and immunities of U.S. citizens." He stated the Commission's view on a provision like this is that if you have to say that you should follow other laws while you are enforcing a new law, there is a presumption that there's going to be problems with that law. The Commission shares the concern that Señor Zimmerman brought up. There is a contradiction that we are hearing from Lansing that Michigan should be a welcoming state to all, including immigrants who contribute greatly to this state and economy, and then this potential detrimental legislation and roadblock to immigrants being welcomed and being able to feel like they are part of this state. Commissioner Inquilla stated that at a minimum the Commission should take a position to express our views of how Michigan should be welcoming to all immigrants who have decided to make Michigan their home and contribute to the well being of this state and at the same time expressing our concerns with any policy that may intrude on that vision of being inclusive and moving Michigan forward.

Mr. Eduardo Zimmerman: Mr. Zimmerman stated that, with the exception of American Indians, everyone is an immigrant that came from somewhere else.

Yolanda Figueroa: Ms. Figueroa stated she believes she speaks for others that are present. She said she is at the meeting because she believes this is not just about immigrants, it's about Mexican Americans. She is concerned and it's not about protecting their rights. Our people

have been stopped for years but this legislation gives police another reason to stop us Latinos even more.

Armando Hernandez: Mr. Hernandez stated he came from Mexico like many others who have been persecuted in this country. He stated when he came to Michigan it was a very welcoming place. He said he came as a student, went to school, became successful and he is the kind of Mexican they don't want. He asked others to tell politician who ask for their votes, tell them to get rid of legislation like HB 4305. Make sure you turn your back on the politicians who ask for your votes and then turn around and support bills like this that hurt Latinos. He stated we need the same protection like everyone else.

Jesusa McDougal: Ms. McDougal stated she is a public school educator. She stated her concern is how this bill would affect public school systems, especially intercity schools in that many immigrant families first settle in intercity areas. Their children are counted on count days and how would this affect the children, enrollment, money that schools receive, would this keep them from coming to our communities, and what would happen to these intercity schools? She currently teaches at a school with high numbers of immigrant children.

Mario Espinoza: Mr. Espinoza stated that he understands this law only seems to serve to advance an agenda or to influence harassment or exploit people. He feels it's really only a red heron because they lead you to believe if you get rid of all the immigrants then all the problems with the economy would be fixed. He stated all Latinos need to stand up together against this bill.

Domingo Berlanga, American GI Forum: Mr. Berlanga asked how can we protect restaurant workers? People are afraid to work in restaurants because they are treated wrong or afraid they might get arrested. How can we get law enforcement to protect them?

Chairman García invited Commissioners to provide their thoughts on the HB 4305.

Commissioner Reyes: Commissioner Reyes thanked everyone for their comments and stated that is why this Commission exists so that we can hear from our communities and we can relay this information back to the Governor and state legislature. This current pending legislation is very detrimental to our community, not only for us Latinos but for all immigrants. He believes it is important that this Commission weigh in on this issue, that we pass a resolution to let the Governor and the state legislature know that our community members, organizations, and Hispanic leaders say this is not a piece of legislation that we support and

we see it as a detriment to the Hispanic community in Michigan, as well as a detriment to our state economically. He encouraged meeting attendees to fill out the cards that Mr. Bates handed out and volunteer. He also reminded people who may work in restaurants, as well as other types of employment, that you cannot be exploited or discriminated against by your employer. There are organizations that are working on these issues. He stated that whether you are documented or not, you do have rights. There are rumors within our community that if you undocumented you cannot say anything if they are not paying you.

Commissioner Feliciano: Commissioner Feliciano stated in addition to all the concerns raised, we need to emphasize the economic impact of this bill. He thinks it is incumbent on the Commission and the community through various organizations to really push that message. We need to send an impactful message that we do not support this bill.

Commissioner Ramon: Commissioner Ramon believes that the Commission should take a strong position against this bill. She stated she wanted to answer someone's question on how they can protect individuals. She stated that a good start would be within redistricting. Some people cannot vote because they are not citizens. There are many of us who are U.S. citizens, who are registered voters, who can stand and make a difference by becoming more involved. There is also the Allies Project, the civil rights component. This bill will be looked at based on economics. She stated we can address it based on the economics of the bill but we should also as a community begin to look at the civil rights violations within the bill.

Commissioner Ehrmann: Commissioner Ehrmann stated during the last election, she assisted with the process in Oakland County. While making phone calls and asked individuals if they were voting, she said she was devastated to hear people say they would not be voting in this election. People have become complacent and don't think they can make a difference. We need to stand up, support each other and make a difference.

Commissioner Hernandez-Patino: Commissioner Hernandez-Patino stated she believe this Commission needs to take a position. We need to educate all Latino of how critical this moment is. Our voices have to be heard – we cannot be silent. We can make a difference if we show up to protest and to show why this bill should not go forward.

MOTION: Commissioner Reyes moved to take a position opposing HB 4305 and HR 30. The motion was supported by Commissioner Hernandez-Patino. Motion carried.

Chairman García stated he would draft the resolution and pass around for comments from other Commissioners. He will have the draft prepared in one week.

VIII. Executive Reports

A. Chairperson's Report: Chairperson García provided his report within the public forum portion of the minutes.

B. Executive Director's Report:

Director Mason entertained any questions in reference to her written report.

Ms. Mason reviewed her report with Commissioners. She indicated there were many attachments with very important information.

She stated many states have similar legislation to Michigan's HB 4305. They are all working on fighting against the bill.

Ms. Mason stated she attended the youth leadership conference that was held in Holland, Michigan. This is the conference that the Commission co-sponsored with Comcast. There were over 350 middle and high school students present. She presented the Commission's resolution at the conference.

Commissioner Inquilla inquired about new information on the office transfer to the MI Dept. of Civil Rights. Ms. Mason stated a meeting is being schedule for the end of March.

Ms. Mason advised the Commissioners that we will not be having a meeting in May in Lawrence during the Pre-Season Migrant Conference. The planning committee for that conference was only able to afford the Commission 30 minutes of meeting space.

IX. Committee Reports:

A. Economic Development: Commissioner Rodriguez reported she attended a meeting a few weeks ago hosted by the Dept. of Civil Rights in regard to the part of the state of state address that welcomed immigrants to the state of Michigan. Commissioner Rick Garcia and Executive Director Mason were also in attendance. The biggest fear discussed was racism. She stated plans to participate on one of the committees for "Global Michigan."

B. Education/Health: Commissioner Hernandez-Patino reported this committee has been four times since the last meeting. She stated that at the last retreat, it was decided to have an education symposium. Unfortunately, due to the economy the committee has decided to not hold

it this year but to post pone it till next year. There are various educational and health fairs and conferences being held and the committee decided to partner with these organizations this year. Since there are many activities that the Commission will be partnering with, Commissioner Hernandez prepared a tracking log as many events are occurring on the same day. There was discussion on which events will be presented a Commission resolution and which events we will present a certificate to the key note speaker. There were over 16 events between March and October. Commissioner Hernandez-Patino will send the log to the office to ensure all events are represented by Commissioners.

MOTION: Commissioner Hernandez-Patino moved to present a resolution to each organizations that is organizing an event that we are partnering with, and if the keynote speaker is Latino/a, to provide a certificate of leadership. There was discussion on the timeframe providing the office with supporting documentation for the resolution to be prepared. Chairman García proposed two weeks. The motion was supported by Commissioner Rodriguez. Motion passed.

- C. Legislative & Civic Engagement: Commissioner Inquilla provided his report during the public forum portion of the meeting. He did comment that he will be updating the list of pending legislation in the next two weeks.

X. Old Business:

- 1) Resolution – Latino Youth Conference. Resolution was passed in an earlier motion.
- 2) Commissioner Reyes commented he is working on the initiative to have a voter registration drive and get 1,000 new Latino voters.

XI. New Business:

- 1) HB 4305 (Arizona style immigration bill) – discussed during public forum
- 2) HR 30 (Citizenship for immigrant children) – discussed during public forum
- 3) Next meeting date: April 13, 2011 Legislative Reception, Lansing. Ms Mason stated she is still looking for a sponsor for this event. If any Commissioner knows of any organization that could sponsor this event, please contact the executive director.

MOTION: Commissioner Ramon motioned to adjourn the meeting at 7:07pm. The motion was supported by Commissioner Feliciano. Motion passed.

Adjournment at 7:07 p.m.

Prepared by Commission staff:

Lawrence J. García

Lawrence García

Chairperson

06/08/2011

Date

Olga T. Hernández-Patino

Olga Hernández-Patino

Secretary